## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

| UN | IITED STATES OF AMERICA  | 0.4011.00   |  |
|----|--|---|--|
|    | Plaintiff,   | ) 8:10MJ90<br>)   |  |
|    | vs.  | )<br>) DETENTION ORDER  |  |
| РΑ | BLO ADAME AGUIRRE,   | )<br>)  |  |
|    | Defendant.   | )<br>)  |  |
| A. | Order For Detention After conducting a detention hearing purs Reform Act on April 8, 2010, the Court order pursuant to 18 U.S.C. § 3142(e) and (i).  |   |  |
| B. | <ul> <li>Statement Of Reasons For The Detention</li> <li>The Court orders the defendant's detention because it finds:         <ul> <li>X</li> <li>By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required.</li> <li>By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community.</li> </ul> </li> </ul>                      |   |  |
| C. | I) in violation of 8 U.S.C sentence of ten years im deported from the Unite Nebraska after having reconsent of the Attorney violation of 8 U.S.C. imprisonment under 8 U.S. imprisonment under 8 U.S. (b) The offense is a crime of (c) The offense involves a nawit:  (2) The weight of the evidence again wit:  (3) The history and characteristics of (a) General Factors:  The defendant a may affect wheth X The defendant have X The defendant have X The defendant have X The defendant is X The defendant is | Report, and includes the following: e offense charged: egal aliens for private financial gain (Count. § 1324(a)(1)(A)(ii) carries a maximum prisonment; and having previously been ed States, was found in the District of e-entered the United States without the General or his successor (Count II) in § 1326(a) and subject to two years S.C. § 1326(b). violence. arcotic drug. arge amount of controlled substances, to enst the defendant is high. |  |

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|     |          | Past conduct of the defendant:                           |
|-----|----------|--|
|     |          | The defendant has a history relating to drug abuse.      |
|     |          | The defendant has a history relating to alcohol abuse.   |
|     |          | The defendant has a significant prior criminal record.   |
|     |          | The defendant has a prior record of failure to appear at |
|     |          | court proceedings.                                       |
| (b) | At the t | ime of the current arrest, the defendant was on:         |
| . , |          | Probation  |
|     |          | Parole   |
|     |          | Release pending trial, sentence, appeal or completion of |
|     |          | sentence.  |
| (c) | Other F  | actors:  |
| ` , | Χ        | The defendant is an illegal alien and is subject to      |
|     |          | deportation.   |
|     |          | The defendant is a legal alien and will be subject to    |
|     |          | deportation if convicted.                                |
|     | Χ        | The Bureau of Immigration and Custom Enforcement         |
|     |          | (BICE) has placed a detainer with the U.S. Marshal.      |
|     |          | Other:   |

## D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: April 8, 2010.

BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge